

**NPWJ International Criminal Justice Policy Series No. 2**

# **Outreach and the International Criminal Court**

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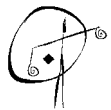
No Peace Without Justice

866 UN Plaza #408; New York NY 10017 Tel. +1 212 9802558 Fax +1 212 9801072  
Via di Torre Argentina 76; I-00186 Roma; Tel. +39 06 68803613 Fax +39 06 68803609  
E.P. 2H262; Rue Wiertz 60; B-1047 Bruxelles; Tel. +32 (0)2 284 3357; Fax +32 (0)2 2849983  
website: [www.npwj.org](http://www.npwj.org)

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## **1. Introduction**

The creation of the International Criminal Court (ICC) indicates the willingness and determination of the international community to finally bring to an end to impunity for crimes under international law. Following on from the establishment of similar International Criminal Tribunals for Rwanda and the former Yugoslavia and the Special Court for Sierra Leone, it acknowledges the centrality of judicial accountability in attempts at restoring lasting peace to conflict ridden societies.

Although the differences between the International Criminal Court, the two International Criminal Tribunals and the Special Court for Sierra Leone are marked, in terms of their subject matter jurisdiction, composition and location, they nevertheless share common philosophical assumptions as to their purpose for countries and regions attempting the difficult post conflict transition to a peaceful, democratic and stable future.

While the central aim of any judicial institution is to uphold the principle of individual criminal responsibility, the ICC also aims to contribute in other ways to post conflict transition. In particular, it is aimed at: ending impunity; establishing facts around a conflict generally and particular massive abuses specifically; the establishment of individual responsibility for atrocities to overcome any tendency for apportioning blame collectively; providing victims of crimes with the opportunity to attain redress in their own individual cases; and contributing to a meaningful process of reconciliation. Should such aims be met, the institution will contribute significantly towards the reduction of the risk of any society returning to conflict.

These different factors illustrate the centrality of the people of the conflict-ridden society that the judicial institution has been created to serve. The aims of the institution serve a far greater number of people than those who may be called before it. Further, for any institution to succeed in these aims, it has to ensure that the majority of the populous feel confident that it is acting in their interests. Without their feeling of ownership -- of their being stakeholders in the judicial process and ultimately the benefactors of the process -- no institution established to reach the aims outlined above can hope to succeed.

These factors are as central to the operation and ultimate success of the International Criminal Court as they are to either of the ad hoc International Tribunals and the Special Court for Sierra Leone. With the ICC playing such a pivotal role within overall attempts to end the conflict and establish peace in the country, it is vital that the people of countries where the ICC is operational are clear to its exact nature and purpose and that misconceptions are prevented from developing and spreading. Left unchecked, such misconceptions could lead to widening disillusionment with the International Criminal Court itself, leading ultimately to the undermining of its credibility. In order to prevent this and better serve the goals of the Rome Statute, it is therefore essential the ICC be as accessible and transparent as possible. Yet the risk still remains that unless efforts are made to publicise the ICC and its work, the people of societies where the ICC is involved may feel as distanced from its proceedings as those in Rwanda and the Balkans in respect of the ad hoc Tribunals. It is vital that the people affected by the conflict are also clear as to the purpose and nature of the ICC in order that any misconceptions are dispelled.

What these concerns illustrate is the need for an Outreach and Public Information Program to be established within the International Criminal Court and be operational in the field from the moment the ICC begins focusing seriously on a situation. Waiting until investigations in the field begin or until indictments are issued would be too late as public (mis)conceptions would already have begun to form; to overcome that situation would take a considerable amount of time and



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effort that could better be directed elsewhere. One example of this is the identification by the Prosecutor that the situation in Congo was “the most urgent situation to be followed”<sup>1</sup> and the consequent heightening of interest regarding the International Criminal Court in Congo; outreach efforts should already be underway by the ICC itself in Congo, to supplement local efforts and to ensure that accurate and consistent messages are being portrayed to the people of Congo.

This report will highlight the necessity for the establishment of an Outreach and Public Education Program from within the structure of the International Criminal Court from the earliest opportunity and the need to provide adequate budgetary provisions for its operations. It will highlight the experience gained from both the ad hoc Tribunals in terms of their negative perceptions by large percentages of the people of Rwanda and the former Yugoslavia, the reasons identified for these perceptions and the measures taken to overcome them. It will also discuss outreach strategies adopted in Sierra Leone, both by No Peace Without Justice in collaboration with Sierra Leonean civil society, as well as by the Special Court itself. In conclusion, it will discuss the situation in respect of the ICC and close with some recommendations on how the ICC might approach its outreach responsibilities in the future.

### **2. Experience of the ICTY and ICTR**

“It is likely that, except for a very small proportion of the populations of the former Yugoslavia and elsewhere, there is large-scale, if not total lack of knowledge regarding the ... ICTY and ICTR”.<sup>2</sup>

Following their initial creation, both ad hoc Tribunals exerted their energies on attempting to ensure that their primary judicial and related administrative functions operated as effectively and efficiently as possible. Little attention was paid as to how either institution related to the countries they were created to serve beyond the practicalities of gathering evidence, apprehending suspects and identifying witnesses. Aside from the establishment of Press and Information Units, no other means of disseminating information concerning the structure and operations of the Tribunals nor any substantive issues were undertaken or considered: the consequences were predictable.

Recent research<sup>3</sup> conducted into the consequences of this lack of outreach has tended to focus more on the experience of the former Yugoslavia than Rwanda. Nevertheless, the lessons gained from this research is just as pertinent for other situations and illustrates problems which may be encountered by the International Criminal Court should no outreach program be implemented.

In the case of Bosnia and Herzegovina (BiH), recent research shows that the local media was the primary source of information regarding the proceedings of the Tribunal. In a country as divided as BiH, where the media after the Dayton Peace Accord was so firmly in the hands of extremist factions in all communities, allowed the majority of the coverage of the workings of the ICTY to be manipulated for political gain. This was reflected in the attitudes of NGOs interviewed for the research, who felt frustrated that the events at the Tribunal were covered in isolation, with little or no background information to place the events in context. The groups in

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<sup>1</sup> See Press Release, “Communications Received by the Prosecutor of the ICC”, 16 July 2003.

<sup>2</sup> See Report of the Expert Group to Conduct a Review of the Effective Operation and Functioning of the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, A/54/634, 22 November 1999, (*Experts’ Report*) at para. 97.

<sup>3</sup> See, for example, *Justice Unknown, Justice Unsatisfied? Bosnian NGOs Speak about the International Criminal Tribunal for the Former Yugoslavia*, Kirsten Cibelli and Tamy Guberek, part of the Education and Public Inquiry and International Citizenship series at Tufts University.



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question, despite working on issues to which the Tribunal was relevant, had their own misconceptions about the ICTY. They did not feel that they completely understood the work and procedures of the Tribunal and were unclear, for example, regarding the exact nature of the crimes for which people could be indicted.

The cumulative effect was to distance these NGO activists, and the people of BiH generally, from the Tribunal itself. Indeed, one organisation representative stated that, “The Hague is some distant thing that is not understood at all”. Without access to accurate and comprehensive information concerning the workings of the Tribunal, from its organisational structure to the criteria by which indictments were issued, many groups expressed their belief that this gave scope for manipulation to occur and misconceptions to grow.<sup>4</sup>

The findings of the study are supported by further research conducted into the attitudes of Bosnian Judges and Prosecutors towards the ICTY.<sup>5</sup> The legal professionals from all three national groups within the country confirmed that almost all the information they received concerning the Tribunal came from local sources. The impartiality of this information was questioned “because of the nationalist slant of the communications industry in BiH”.<sup>6</sup>

Despite the legal professionals’ suspicions of the distortions and political manipulation of the local Bosnian media, their own perceptions of the ICTY nevertheless seemed to be influenced by the media. Sharp divisions could be seen between the legal professionals according to their national group, yet opinions within each national group remained to some degree consistent.<sup>7</sup> For example, whilst the dominant view among the Bosniak legal professionals of the ICTY was that it was a neutral and fair court, their Bosnian Serb counterparts viewed it disparagingly for its lack of impartiality and independence, and the belief that it exclusively targeting members of their own national group. Ultimately, the Bosnian Serbs legal professionals saw the Tribunal as a political body, under the influence of the Western powers. As the report’s authors point out:

“It is abundantly clear that Bosnian legal professionals did not have accurate information about the ICTY. At best, this confusion generated misunderstandings on the part of those legal professionals who supported the ICTY. At worst, the absence of correct and information has fueled suspicion and hostility among those Bosnian Croat and Bosnian Serb participants who viewed the ICTY as the authoritative and critical voice of the international community.”<sup>8</sup>

Both these studies confirmed suspicions prevalent at the time within the ad hoc Tribunals that without a concerted attempt to ensure that their activities were understood, the opportunity to contribute towards a sustainable peace in each region would be lost. As the Presiding Judge of the ICTY stated at the time: “Our decisions are to help to bring about reconciliation, but our decisions can not do that ... if there isn’t a belief that the tribunal is fair, that the decision-makers are fair”.<sup>9</sup>

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<sup>4</sup> *Ibid.* pp. 10 - 11.

<sup>5</sup> Justice, Accountability and Social Reconstruction: An interview Study of Bosnian Judges and Prosecutors, Human Rights Centre, International Human Rights Law Clinic, University of California, Berkeley and the Centre for Human Right, University of Sarajevo, May 2000.

<sup>6</sup> *Ibid.* p. 37.

<sup>7</sup> *Ibid.* See pp. 23 - 33.

<sup>8</sup> *Ibid.* p 43.

<sup>9</sup> “Gabrielle Kirk McDonald: From Civil Rights to War Crimes, A Pioneer Promotes the Rule of Law, Los Angeles Times Interview, Los Angeles Times, February 7,1999, by Kitty Felde.



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Both Tribunals established outreach programmes aimed at combating the misperceptions, misinformation and propaganda that threatened their work. Based within the offices of each Tribunal's Registry, and working in conjunction with each Press Office, both devised strategies specific to their region. The ICTY programme has over time established offices in Zagreb, Banja Luka, Sarajevo, Prishtina and now Belgrade. Likewise, in late 2000, the ICTR opened its Information and Documentation centre in the Rwandan capital of Kigali. The establishment of these offices aimed to overcome the most obvious difficulty encountered by both Tribunals: the physical distance of their seat from the countries they were serving. The creation of outreach offices in these different locations aimed to ensure there was a localised focal point for each Tribunal, to enable people the opportunity to directly approach each for accurate information. From these locations, contacts have been forged with representatives of local media, NGOs and the legal profession. Distribution networks have been established through which, in the case of the former Yugoslavia, Serbo-Croatian translations of ICTY documents have been processed, the recipients being libraries, governmental, judicial and academic libraries. The regional outreach offices also allowed the Tribunal's press and publicity unit the opportunity to distribute ongoing information concerning the activities at The Hague.

Symposiums have been held, both in The Hague and around parts of the Balkans, at which members of the judicial and legal communities have met with various members of the Tribunal. Such meetings have allowed a formal exchange of ideas to take place between vital members of the different Balkans communities, allowing them to understand more about the judicial processes at work at the Hague, as well as enabling ICTY officials to obtain direct information as to concerns felt by their Balkan counterparts.<sup>10</sup> Similar symposiums have been held at the ICTR's seat in Arusha, with members of the Rwandan legal profession having the opportunity for intensive week-long training seminars concerning the Tribunal's legal and judicial processes.<sup>11</sup>

To counteract misunderstandings and direct manipulation within the local media, both Tribunals have established relationships with local electronic media organisations to produce a variety of programs aired within the two regions. These vary from live internet broadcasts of proceedings from the three ICTY Trial Chambers to regular digests of news and interviews broadcast on local television and radio networks.

### **3. Experience of the Special Court for Sierra Leone**

Outreach efforts in Sierra Leone began long before the establishment of the Special Court in early 2001 when No Peace Without Justice (NPWJ) held the Freetown Conference on Accountability Mechanisms for Violations of International Humanitarian Law in Sierra Leone. This conference, attended by over 100 representatives of civil society, the legal profession and others, formulated a series of recommendations for the implementation of an outreach program in Sierra Leone. Implementing those recommendations, NPWJ held a series of training seminars targeting civil society, the media, journalists, Paramount Chiefs and others. The training seminars also acted as an opportunity to identify persons interested in the establishment of an NGO coalition called the Special Court Working Group (SCWG).<sup>12</sup> This coalition of interested NGOs was formed in April 2002 to fulfil a crucial role in outreach and sensitisation by formulating methods and messages for outreach, by carrying out that work and by ensuring

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<sup>10</sup> Outreach Symposium Marks the First Successful Step in the Campaign for Better Understanding of the ICTY in the Former Yugoslavia, October 20, 1998, ICTY Press Release, CC/PIU/355-E.

<sup>11</sup> See Press Briefing by the Spokesman for the ICTR, September 19, 2000, ICTR Press Release, ICTR/INFO-9-13-016.

<sup>12</sup> For more information on this conference and these training seminars, as well as the establishment and operations of the Special Court Working Group, see the 2001 Status Report of No Peace Without Justice in Sierra Leone, available from <http://www.specialcourt.org/SLMission/NPWJStatusReport.html>.



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information being disseminated about the Special Court by various groups within Sierra Leone would be uniform and consistent. Among the outreach methods devised by the SCWG and supported by NPWJ were a series of informational leaflets, posters and the holding of a weekly radio program, “Special Court Hour”, broadcast on the UN radio station from the middle of 2001 until the present day.

In consultation with local partners, in particular the SCWG, NPWJ continued to devise and implement innovative outreach methods across the country, including the formation of “The Right Players”, a drama group that toured the markets in Freetown performing plays and songs about the Special Court; a public lecture series at the local University; leaflets and booklets on various aspects of the Special Court; updated training seminars targeting specific groups; and a variety of other initiatives.<sup>13</sup> The main difficulties faced by the Outreach Program consisted of financial, logistical and material constraints. Local organisations often lacked sufficient funding to carry out outreach activities unassisted, particularly in respect of work in the provinces, and also had difficulties in organising their own logistics and in finding financial backers.

The Special Court, in particular the Office of the Prosecutor, spent much of its first year concentrating on public relations. The intensive schedule of district town hall visits carried out by Prosecutor David Crane was appealing to both the Freetown press and those present at the meetings. This approach, though vastly different from an outreach program, has performed its aim of raising awareness of the very existence of the Special Court to a limited audience.

An outreach program compliments such public relations efforts and care must be taken not to confuse the two, as sometimes appeared to be the case at the Special Court in the early stages of its operations. At the most basic level, an outreach program is aimed at ensuring accurate and reliable information is disseminated as widely as possible to as many target groups as possible, in a way designed to maximise participation and understanding. At a minimum, it requires the Special Court to locate and train a network of well-informed and reliable people in the communities it wishes to work with. This will guarantee continuity in the dissemination of accurate information, and will assist the Special Court in ensuring that its process is transparent from before the first indictments to the day it closes its doors.

From the beginning of 2003, the newly-operational Special Court Outreach Section began holding training seminars and public lectures in Freetown, followed by an intense round of training throughout the country, undertaken in cooperation with No Peace Without Justice. This training targeted specific groups – particularly NGOs, traditional authorities, security personnel, women and others – to ensure that those in civil society to whom others turn for information are themselves well informed about the nature and operations of the Special Court. This initiative, which was facilitated by the formation of District-level SCWGs around the country in late 2002, has been followed by a series of public talks and panel discussions on pertinent issues relating to the Special Court and the production of informational booklets and leaflets.

The situation of Sierra Leone demonstrates very clearly that outreach efforts can never begin too soon. In fact, one of the main criticisms that can be made of the outreach program of the Special Court itself is that it should have begun the moment the Court became operational in Sierra Leone. The success of the Special Court’s outreach work is depending to a great extent on their finding a network of informed individuals and a civil society already involved and eager to work with the Court in ensuring accurate information about the Special Court is disseminated throughout the country.

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<sup>13</sup> For more information on the wide number of initiatives undertaken see NPWJ’s various Mission Status Reports from 2002 and 2003: <http://www.specialcourt.org/SLMission/index1.htm>.



#### **4. Outreach at the International Criminal Court**

As soon as the ICC begins its operations in the field - and even before - it will be the centre of much media and general interest in that country. For example, since the Prosecutor announced his intention to follow the situation in Congo closely on 16 July 2003,<sup>14</sup> the Congolese media has already spent much time and space discussing issues around the Court.<sup>15</sup> Nevertheless, it is evident that the problems prevalent within the Balkans and Rwanda in respect of misunderstandings of the ICC and alienation from the institution itself are at risk of being repeated within other situations on which the ICC may focus.

This demonstrates the clear need for a thorough and ongoing outreach program that is embedded in the work of the Court at least from the very start of operations in the field, if not before. Waiting until investigations in the field begin or until indictments are issued would be too late as public (mis)conceptions would already have begun to form; to overcome that situation would take a considerable amount of time and effort that could better be directed elsewhere. Care should also be taken to ensure a continuing presence in the field once operations begin to prevent the potential development of feelings of abandonment or any perception that information is being withheld. Such an investment in people's will to support the institution and its broader aims, learning about the issues and informing the communities of which they are part will be invaluable to the success of the International Criminal Court.

While valuable knowledge can be gained from the experiences of the ad hoc Tribunals and the Special Court for Sierra Leone, a clear understanding of the nature of the society within which the ICC will be operating should first be considered to identify factors that may hinder any public education campaign if overlooked. These factors include the following:

- the geographic make-up of a country, including the identification of any bias towards the capital city or neglect of provincial areas;
- the hierarchical organisation of communities, including tribal or religious structures, how communications are effected within communities and the role of community leaders;
- issues of language, in particular the variety of local languages that may be spoken;
- the level of literacy within the country and any variances between different social or geographic groups; and
- access to the media, including access to radio, television and the internet.<sup>16</sup>

In addition, it must be considered whether these factors vary in relation to victim groups, who will need to be provided specific information about cooperation with the Court, participation in Court proceedings and reparations. Any outreach and public information campaign that is to succeed must acknowledge these facts and others relevant to the particular situation and incorporate them into the heart of the strategy from the onset.

#### **5. Potential Outreach Program Partners**

A successful outreach program geared towards the demands of the people affected by the conflict as a whole should be multifaceted, tailored according to whom the information is directed. Containing enough flexibility to be able to respond to the needs of different groups

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<sup>14</sup> See Press Release, "Communication Received by the Prosecutor of the ICC", 16 July 2003.

<sup>15</sup> See [http://allafrica.com/congo\\_kinshasa](http://allafrica.com/congo_kinshasa) for listing of daily stories within sections of the Congolese press.

<sup>16</sup> On example of a success story in bringing radio to the people is Radio Okapi, which broadcasts in French and four national languages (Lingala, Tshiluba, Swahili and Kikongo) across the Democratic Republic of Congo: see <http://www.radiookapi.net/> for more information.





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within society, it should be devised to develop in parallel with the Court itself. Thus, while the initial phase must concentrate on the nature of the institution itself, explaining its structure, its substantive law and its internal procedures, as the International Criminal Court evolves and begins to hear trials, the outreach program must also evolve to ensure that the Court's day-to-day hearings are understood within the country.

Before considering the specifics of any outreach program, it is necessary to identify a number of local actors who will be able to play a crucial role within the program itself. Not only will these actors almost certainly require an element of training themselves, to familiarise themselves with the International Criminal Court, but they are also potential partners of the program and are, due to their nature and status in society, crucial to its success.

### **5.1 Legal Profession**

Of importance to the success of the operations of the International Criminal Court is the legal profession. Ensuring the profession clearly understands the nature of the Court will not only assist in contributing towards the legitimacy of the institution among the wider society, it will lay the groundwork for increased capacity within the profession, ultimately contributing to the re-establishment of the rule of law to the country. In this context, the legal representatives of victims will also have a role to play in bridging the gap between the ICC on the one hand and individual victims and victims groups on the other hand in terms of providing information specifically aimed at fulfilling the information needs of victims. The membership of professional associations, together with the Law Faculties, should be considered a prime partner in the outreach campaign. Although interest in the International Criminal Court within the profession is likely to be high, there is equally likely to be limited knowledge or direct experience of the substantive law within the Court's jurisdiction.

### **5.2 Media**

Central to the success of informing the wider public is the media, including television, written press and radio. Journalists will often play a central role as opinion formers in wider society, therefore targeting journalists for inclusion within an outreach program will ensure that accurate information is disseminated around the different communities concerned.

### **5.3 Civil Society Organisations**

The success of the public education will in large part be determined by the level of awareness within NGOs, whose mandates generally cover a variety of issues including human rights, development and justice and peace issues. The involvement of this sector within any public education is self-evident with them being best placed to disseminate information widely through their own networks, overcoming potential language and cultural barriers.

One central requirement in outreach is that information disseminated throughout the country is accurate and consistent. The dissemination of inaccurate or inconsistent information runs the risk of undermining the credibility of the International Criminal Court and reducing public confidence in its operations. There therefore needs to be some form of coordination among the many NGOs likely to be interested in working on these issues with the distinct mandate of undertaking outreach activities centred on the International Criminal Court. The best way to ensure such coordination would be to facilitate the creation of an "ICC Working Group", comprised of local organisations interested in being involved in outreach on the ICC, developing the specific modalities of operation in cooperation with those NGOs, so as to enhance local ownership of the processes. In such a model, care should also be taken to maintain the independence of NGOs from the Court, in particular to preserve the ability of NGOs to provide constructive criticism of ICC operations as the need may arise.



Of the various civil society organisations that should be viewed as potential partners and collaborators of the outreach program, attention should be paid particularly to those specialising in support and assistance to victims of the conflict and those working with and representing ex-combatants. In the case of victim support groups, clear information will need to be disseminated to the victims of the conflict who may be required to appear before the International Criminal Court. In particular, the mechanisms established within the Court to reassure potential witnesses that their security will be guaranteed should they be required to appear before the Court will need to be repeatedly stresses. Similarly, victims will need to be informed of the relevant principles and procedures for obtaining redress for crimes committed against them and their family members. Victim support groups would be ideally placed to ensure this information reaches the correct group. In the case of ex-combatant groups, the need for dissemination of accurate information is self-evident. It is likely that there is already a high level of apprehension that the court will be looking to prosecute all those involved in the conflict. It will require repeated explanations of the centrality of the Prosecutor's stated intention to prosecute those who bear the greatest responsibility,<sup>17</sup> together with stress on the Court's impartiality, to reassure this group that the vast majority of those involved in the conflict are unlikely to be prosecuted before the International Criminal Court.

## **6. Considerations for an Outreach Strategy**

As noted, the strategies needed for sensitisation of the public to the International Criminal Court need to be tailored according to whom the intended target is. Some of the programs devised by the equivalent programs in The Hague, Arusha and Freetown may prove to be appropriate in other situations, while newer ideas may also need to be formulated.

The initial phase after the ICC has indicated its intention to focus on a situation and particularly during ICC deployment to the field should focus on embedding outreach within local society, particularly through the formation of an ICC Working Group, ensuring that as high a proportion as possible of civil society, of the media and of the legal professional are cognisant of the nature of the Court. Following the example of the two Tribunals and the Special Court, symposiums, conferences and workshops could be organised, allowing the members of these different groups the opportunity to meet with, question and establish a relationship with various Court personnel. A partnership could then be established with the various groups to direct the public education program at the wider public. Radio panel discussion programs could be organised, specialised features printed in the press and community-based events held, led by civil society organisations.

The second phase should then evolve to consider how to continue disseminating information once trial proceedings commence and the Court's activities become more visible. Aside from the strategy devised by any Press Office incorporated into the Court's structure to notify the media of day-to-day proceedings before the Court, consideration should be given to regular radio broadcasts. If possible, "live"<sup>18</sup> radio transmissions of trials could be broadcast across the airwaves, allowing the public to follow the proceedings directly. Additionally, consideration should also be given to producing a weekly radio digest, broadcast at a regular time, covering the main developments of the previous week. Such a program could take many different formats, including interviews with different members of the Court's personnel, coverage of trials and discussions. As already stated, the importance of radio broadcasting within the country suggests that this should be the main medium of mass communication of information to the wider public. Such coverage, whether of trial proceedings or of the digest, could be easily incorporated into

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<sup>17</sup> Prosecutor's Speech to the first Assembly of States Parties of the ICC, 8 September 2003.

<sup>18</sup> Following the ICTY, security considerations insist that "live" broadcast of Trial Chamber proceedings are sent on a feed with a 30 minute delay.



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the schedules of existing radio stations, thereby overcoming the need to follow the example of Arusha which intends to establish a Radio ICTR station.

Following the example of the Rwandan Tribunal, consideration should be given to establishing an Information Centre or Centres in strategic towns and cities, including provincial or rural areas. Allowing free access to members of the public, the Arusha Centre comprises of law library, a reading room, conference room, video library containing footage of ICTR hearings and a limited number of public access computers linked to internet.<sup>19</sup> Such a centre could perform a vital role as a very public face of the International Criminal Court, enabling the public the opportunity to access consistent and reliable information on its proceedings.

In addition, video footage of International Criminal Court activity could be edited into short films, which could then be toured around the country and broadcast at special community events. The work here of the Internews in Rwanda acts as a perfect illustration. Internews, accompanied by Tribunal personnel, travel around Rwanda and show regular updates of the Tribunal's proceedings in villages that would otherwise not have access to this information. The films are followed by open discussions during which the audience has the opportunity to ask questions of the Tribunal personnel.<sup>20</sup>

These suggestions are not intended to be exhaustive, merely illustrative of the possible strategies that could be adopted by the International Criminal Court when considering effective means of public education. If they point in any one firm direction, that is towards the need for any outreach program to be conducted in partnership with local organisations. Being in the best possible position to understand the nature of their own society, civil society activists will be in the best position to confirm and suggest the most appropriate strategies to develop in any such campaign. Further, promoting the visible involvement of local actors in the outreach and public education campaign will itself contribute towards establishing the legitimacy of the International Criminal Court itself, ensuring the wider community clearly sees that it has a stake within the institution.

### **7. Conclusion**

Broadly disseminated information is essential to the transparency of the International Criminal Court, its credibility and ultimately its effectiveness. If information is lacking, the danger exists that the void will be filled by misinformation spread by those seeking deliberately to exploit people's fears and suspicions to discredit the Institution. This could only impede the Court's ability to function.

An Outreach and Public Education Program should be established at least from when the Court begins operations – preferably from the time the ICC indicates its intention to focus on a situation – to ensure that clear and accurate information is disseminated throughout the population affected by the conflict. This program should be established in partnership with local groups and organisations, many of whom will likely have been directly engaged in the issue of the International Criminal Court and could even have already begun these types of activities in respect of selected elements of their society.

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<sup>19</sup> See: Rwandan Visitors to ICTR Information Centre on the Rise, 21 March 2001, available at [www.hirondelle.org](http://www.hirondelle.org)

<sup>20</sup> See: [http://www.internews.org/activities/ICTR\\_reports](http://www.internews.org/activities/ICTR_reports).



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Such a program, organised in such a way, stands the best chance of ensuring the ICC's transparency and credibility and promoting the notion of it being an inclusive institution, serving the needs of the population for effective accountability for the conflict in their country.